

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JUNE 18, 2018

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHAM, BLANCHETTE, CROSTHWAITE,
FORTIER, HAMILTON, HUDSON, AND MOORE.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
LISA SEKULICH, RICHARD TUPPER, REGGIE WINSLOW, BERNIE
HUSSEY, EDMUND MURRAY, JENNIFER MADORE, KELLY HERRICK, AND
HEIDI GRINDLE.**

Call to Order.

Chairman Blanchette called the regular meeting of the Ellsworth City Council to order at 7:00 PM.

Pledge of Allegiance.

All stood for the pledge of allegiance.

Rules of Order.

The meeting was conducted under Robert's Rules of Order and other rules adopted at the November 13, 2017 Annual Organizational Meeting of the Ellsworth City Council. After being recognized by the Chairman, a person may speak not more than three (3) minutes on any one item on the agenda. In addition, the person may speak not more than two (2) minutes in rebuttal.

Adoption of minutes from the following meeting (s) of the Ellsworth City Council:

May 4, 2018 Special Meeting.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve the adoption of the Ellsworth City Council minutes from the May 4, 2018 Special Council Meeting as presented this evening.

May 21, 2018 Regular Meeting.

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve tabling the adoption of the Ellsworth City Council minutes from the May 21, 2018 Regular Council meeting.

City Manager's Report.

Call to Order.

Pledge of Allegiance.

Rules of Order.

Approved - Adoption of the Ellsworth City Council minutes from the May 4, 2018 Special Council Meeting as presented this evening.

Approved - Tabling the adoption of the Ellsworth City Council minutes from the May 21, 2018 Regular Council Meeting.

City Manager's

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David Cole, City Manager listed the free to the public summer activities. These included the Waterfront Concert series beginning on July 6, running weekly on Friday nights at the Harbor Park during July and August. The Grand and the City co-sponsor the Waterfront Concert series. Taste of Ellsworth will be held on June 30, 2018 from 5 PM to 10 PM; tickets are \$37.50 for adults, \$15.00 for children and \$40.00 if purchased at the door. The sponsors were too numerous to mention; however, their generous donations were appreciated. Cole will be one of the three judges for this event. The Ellsworth Concert Band will be at the Harbor Park on Wednesday evenings starting on July 11 and run every week from 7 PM to 8 PM until August 15. The construction/reconstruction of the parking lot located behind Water and Main Streets is progressing very well. Within the next one to two days the coarse coat should be finished on the entire lot, this includes putting in a new base and fixtures. After the finish coat is applied the project should be wrapping up by the end of the month. This project is looking very good.

Report

Committee Reports.

Committee Reports.

➤ *Harbor Commission.* Councilor Moore reported the Harbor Commission met this month on June 13. The piling work went very well. Prock Marine did an excellent job repairing the damage; Moore was hopeful members of the public were able to observe the equipment performing that work. A \$15,000 grant was received that will substantially fund the ice eaters project. The goal through this project is to prevent a reoccurrence of the damage that was done throughout the winter at the Harbor. The Ellsworth Garden Club is busy planting and maintaining the gardens at the Harbor Park. There are new picnic tables arriving at the Park including one by the new gazebo. There are currently 50 watercraft located at the Harbor Marina. The Harbormaster is starting the process of investigating if it is possible to add docks at the Harbor, there appears to be more demand than space currently. It appears there are ways to add space which will pay for itself quickly. Currently, the only space available is two deep water moorings. The kayak rack is full; there have been discussions on whether there is interest in creating a second kayak rack.

➤ *Recreation Commission.* Councilor Fortier reported the Recreation Commission meeting was cancelled due to a lack of a quorum. There is nothing of importance going on at this time. The majority of work was completed over the fall and winter months.

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➤ *Emergency Medical Services Committee (EMS).* Councilor Fortier reported tomorrow will be the second meeting of the Emergency Medical Services (EMS) Committee to look at the future of EMS in Ellsworth in particular and the Region as a whole. The Organizational meeting was held a couple of weeks ago and set some future meeting dates. The meeting dates have been posted on the City Clerk’s Counter, in the bulletin board and on the City website, in the event anyone would like to attend the meetings. The Committee will start reviewing all the information the working group collected over the past year and start putting some ideas on paper. The meeting tomorrow will be held at 10:00 AM in the Council Chambers.

Citizens’ Comments.

There were no citizens’ comments this month.

Presentation of Awards.

Dustin Leyendecker, for ten years of service with the Ellsworth Public Works Department.

Dustin Leyendecker was absent from the meeting. The award will be given to his supervisor for presentation at a later date.

Shawn Willey, for fifteen years of service with the Ellsworth Police Department.

Shawn Willey was absent from the meeting. The award will be presented at the July 16, 2018 Regular Council meeting.

UNFINISHED BUSINESS

There were no items under Unfinished Business this month.

CONSENT AGENDA

CONSENT AGENDA: All items with an asterisk () are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed*

Citizens’ Comments.

**Presentation of Awards.
Dustin Leyendecker – 10 years, Public Works Department.**

Shawn Willey – 15 years, Police Department.

Unfinished Business.

Consent Agenda.

Approved - Consent Agenda as presented this evening.

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from the Consent Agenda and considered in its normal sequence on the Agenda.

*Council Order #061801, Request of the Deputy Finance Director to set the real estate and personal property tax due dates at September 13, 2018 and March 14, 2019. **

See attachment #1 for a complete explanation.

*Council Order #061802, Request of the Deputy Treasurer/Tax Collector for an Order of the Municipal Officers on the application of real estate and personal property tax payments. This order will allow for the Tax Collector and Treasurer to apply tax payments against the oldest unpaid tax bills. **

See attachment #1 for a complete explanation.

*Council Order #061803, Request of the Deputy Treasurer/Tax Collector to accept payments on tax acquired timeshare units per the attached spreadsheet and to authorize the City Manager to release said properties through Municipal Quit-Claim Deeds. **

Requested that this item be removed this evening, as there were no timeshare units sold this month.

*Council Order #061804, Request of the City Clerk for review and acceptance of the results from the City of Ellsworth School Budget Validation Municipal Referendum Election on June 12, 2018. **

See attachment #2, for the complete results.

On a motion by Moore, seconded by Crosthwaite, it was unanimously

RESOLVED to approve the Consent Agenda as presented this evening.

NEW BUSINESS

Public hearing and action on the application (s) for new or renewal for the following license (s):

Approved – Council Order #061801, set the real estate and personal property tax due dates.

Approved – Council Order #061802, application of real estate and personal property tax payments.

Approved – Removing Council Order #061803, no units were sold this month.

Approved – Council Order #061804, acceptance of the results from the City of Ellsworth School Budget Validation Municipal Referendum Election.

New Business.

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HEIDI GRINDLE.**

*Douglas J. Kiehm and Racheal E. Wallace d/b/a Homestead Motel and Cottages,
143 Bucksport Road, for renewal of a City Lodging License.*

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Fortier, seconded by Moore, it was unanimously

**RESOLVED to approve the request of Douglas J. Kiehm and Racheal E. Wallace
d/b/a Homestead Motel and Cottages, 143 Bucksport Road, for renewal of a City
Lodging License.**

*Martin & Ware Inc d/b/a Central Maine Pyrotechnics Pyro City Maine d/b/a Pyro
City Maine Fireworks Store, 328 Bucksport Road, for a renewal of a City Consumer
Fireworks Retail Sales License.*

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Hamilton, seconded by Hudson, it was unanimously

**RESOLVED to approve the request of Martin & Ware Inc. d/b/a Central Maine
Pyrotechnics Pyro City Maine d/b/a Pyro City Maine Fireworks Store, 328
Bucksport Road, for renewal of a City Consumer Fireworks Retail Sales License.**

**Approved - Douglas
J. Kiehm and
Racheal E. Wallace
d/b/a Homestead
Motel and Cottages,
143 Bucksport Road,
for renewal of a City
Lodging License.**

**Approved - Martin
& Ware Inc. d/b/a
Central Maine
Pyrotechnics Pyro
City Maine d/b/a
Pyro City Maine
Fireworks Store, 328
Bucksport Road, for
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Charles B. & Ariela L. Zucker d/b/a Twilite Motel, 147 Bucksport Road, for renewal of a City Lodging License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Beathem, seconded by Fortier, it was unanimously

RESOLVED to approve the request of Charles B. & Ariela L. Zucker d/b/a Twilite Motel, 147 Bucksport Road, for renewal of a City Lodging License.

Manny's Greek Grill, LLC, 248 State Street Suite N for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

The staff reports the premises are in compliance with required codes and ordinances necessary to issue the requested licenses.

Public hearing was opened.

There were no comments.

Public hearing was closed.

On a motion by Moore, seconded by Hudson, it was unanimously

RESOLVED to approve the request of Manny's Greek Grill, LLC, 248 State Street Suite N for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

Approved - Charles B. & Ariela L. Zucker d/b/a Twilite Motel, 147 Bucksport Road, for renewal of a City Lodging License.

Approved - Manny's Greek Grill, LLC, 248 State Street Suite N for renewal of a City Class C License (Liquor and Victualer) and renewal of a State Restaurant (Class III & IV) Malt and Vinous Liquor License.

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Council Order #061805, Request of the Library Trustees to approve a bid from Pine State Elevator for repairs to the Library's elevator.

Amy Wisheart, Library Director explained she was representing the Ellsworth Library Trustees (Trustees) this evening. See attachment # 3 for the complete request and quote from Pine State Elevator Company. This was the Fiscal 2018 Capital Improvement request that was approved by the City Council during the last budget cycle and included the necessary repairs to the elevator. This project was placed out to bid with three elevator companies being invited to submit quotes. Two companies submitted pricing and those have been included in attachment #3. Each quote contains two different scenarios or versions of the bid. One version is a very basic repair of the elevator involving replacing the controller and the other is a more comprehensive modernization which will bring the Library up to compliance with ADA standards and repairs a few other issues. The Trustees reviewed the proposals and decided the more comprehensive option was the most cost effective long term. This plan would ultimately save the City money on future repairs. The recommendation by the Trustees is to award the bid to Pine State Elevator, the low bidder of the two comprehensive proposals in the amount of \$44,390. Councilor Fortier inquired where the funds would come from for this project; the funds will come from fund balance. David Cole, City Manager explained the funding for this project was a bit confusing because it started out in the operating budget of the Library last fiscal year and it ended up being put toward the Library fund balance. Now it will be taken out of the fund balance and applied to this expense. The designated funds were shuffled around at the end of the fiscal year. The anticipated cost for this project was \$50,000; however, the bids came in at \$44,390. Cole reminded the Council, they took the unallocated funds from the Library and put them toward the Capital Account and then stipulated with the approval of the Council the funds could be expended. This expense would come out of that account, under the terms of a restricted fund. Fortier inquired if the actual account number where the funds would be allocated from should be left out of the motion at this time, as the funds have not actually been transferred to that account yet. This transfer will not take place until the end of the fiscal year. Mote suggested adding the following language to the motion: to be funded from the assigned fund balance. Chairman Blanchette inquired about the section of the bid that states work to be conducted by others. Based on a conversation he had with the service manager from Pine State Elevator, it became apparent this portion could cost as much as another \$8,500. Wisheart noted those additional costs were addressed in a

Approved - Council Order #061805, the bid from Pine State Elevator for \$44,390 to modernize the library elevator, contingent fund of not to exceed a total of \$53,000 from the Assigned Fund Balance for ancillary contracts to finish the project.

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conversation she had with the service manager as well. The exact amount under this section has not been determined yet; however, that is why the initial request was submitted in the amount of \$50,000 for this project. In addition to the bid and work to be conducted by others, there will be some electrical work needed. Fortier did not believe the motion should include any potential additional funding; currently those numbers are not known. This portion will take a little bit of time to receive, while they wait the remaining components can be researched and should fall under the City Manager's spending limit. Mote reminded the Council if the funds come from the assigned fund balance it will require a formal council order number and be approved by the Council. Mote recommended approving with a not to exceed figure of \$52,000 from the assigned fund balance, for example. The date of when to execute the contract was discussed in relation to which fiscal year the funds would be distributed from. It appeared to not make a difference because it is a rolled over assigned balance.

On a motion by Fortier, seconded by Moore, it was

RESOLVED to approve Council Order #061805, the bid from Pine State Elevator for \$44,390 to modernize the library elevator, contingent fund of not to exceed a total of \$53,000 from the Assigned Fund Balance for ancillary contracts to finish the project.

Councilor Moore inquired if the contract amount was \$44,390 or \$44,490. Fortier noted there was a \$100.00 mistake in the bid and through an email Pine State Elevator agreed to honor the lower price.

Council Order #061806, Request to reconsider deed restrictions on the Right-of-Way located on Clearwater Way.

Chairman Blanchette explained this item was being withdrawn from the agenda this evening.

Council Order #061807, Request of the Deputy Treasurer/Tax Collector to set the interest rate on overdue taxes.

Kelly Herrick, Tax Collector/Deputy Treasurer stated this was a yearly request to set the interest rate on overdue taxes. The maximum interest rate allowed by law is

Council Order #061806, request withdrawn.

Approved - Council Order #061807, Request of the Tax Collector/ Deputy Treasurer to set the

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8%, as established by the Treasurer State of Maine and is based on the prime rate that is published in the Wall Street Journal. Taxes are considered delinquent and interest begins on each installment the first day after its specified due date. 2018 is the first year since 2010 that there has been an increase in the maximum rate of interest. During the past 8 years there has been a maximum interest rate of 7.5%. This year it was increased to 8%. For the past 3 years the Council has set the interest rate at 5%. Due to the increase in the prime rate per the State, Herrick asked if the Council would like to keep the interest rate at 5% or increase the rate to 6%. See attachment #4 for the complete request. Councilor Fortier commented that since the maximum rate has been set by the State, the Feds have increased by approximately 25 basis points and they are predicting at least 3 more increases this year. He felt in order to keep up with those, the City's interest rate should be at least 6%. Councilor Beathem commented 6% is a very fair number; he also suggested the City is dealing with two different parties. One being, the residents struggling to pay their taxes. The other being, those the City is waiting for to pay their taxes because they find it less expensive to pay the interest to the City than it is to pay the interest to other places. Beathem was not in favor of charging any more than 6%; however, could support charging 6% interest. Councilor Moore agreed with Beathem.

**interest rate on
overdue taxes at 6%
for the coming year.**

On a motion by Fortier, seconded by Hudson, it was unanimously

**RESOLVED to approve Council Order #061807, Request of the Tax Collector/
Deputy Treasurer to set the interest rate on overdue taxes at 6% for the coming
year.**

Public hearing and action on Budget Resolutions for FY 2019.

David Cole, City Manager thanked Tammy Mote (Deputy City Manager), Jennifer Madore (Finance Director), the Department Heads, and all of the staff members who contributed to the preparations for the Fiscal Year 2019 budget. This is a fiscally constrained budget. It contains one new position. The municipal budget is up 1/10th of a mil. The School budget has already been approved by the Council and validated through a formal vote of the Ellsworth registered voters on June 12, 2018. Over the past three years the budget is only slightly up by a little over a ¼ of a mil; which translates into an average of approximately 1.2 percent increase per year. Through the diligence of the Council and staff working together a very

**Approved - Adoption
of Budget for Fiscal
Year 2019 as
presented in
attachment #5.
Hereby Resolved,
that the sum of
\$19,851,539 which
constitutes the
estimated
requirements of the**

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responsible budget has been created. Going forward the Council recognizes as well as the staff that the City needs to look at investing in the future. Some key items to look at in the future will be the Public Works Department, the infrastructure, and a few other areas. One of Mote's first tasks will be to look at the capital improvement needs and how they are financed in the most advantageous way for the City. Cole feels the City has a very good staff in place, a good management team, and working forward the City will concentrate on more efficiencies within City Hall including more automation within the Finance Department. The City will continue to work on providing the best service to the tax payers as well as the citizens living in the City of Ellsworth and those in need of our services. See attachment #5 for the complete request. Councilor Hamilton stated he feels the proposed budget is very good; moving forward the Council really needs to look at what they need for City resources, as well as City services. This would be very helpful information to know as the budget preparations are being made. Basing the budget on what the City needs as a whole and not just what individual departments or individual services require, then trying to piece those together. All the services and items that are provided need to be prioritized to arrive at exactly what is needed, taking into account the size of the population and what resources are already in place. Hamilton felt is difficult to make some of the necessary decisions without knowing the whole picture as a City moving forward. Councilor Fortier noted the total appropriations on the City side from last year to this year based on a 12.9 million dollar municipal budget increased by \$52,000. All the union employees were given raises, non-union staff received very small raises, to arrive at a budget with only a \$52,000 increase which was mainly due to employee expenses, is very good. Fortier felt this was a very lean budget and congratulated the senior staff, Department Heads, the City Manager and the Council for all the energy put forth to arrive at this proposed budget. Councilor Beathem stated this is the first year out of three where there will be a little more taxable property. Last year, the State took approximately 10 million dollars away from the taxable property, the year before that they took 8 million dollars to replace those values takes a lot of money. Over the past three years, the City has had to work with a reduced amount of taxable income while trying not to raise the taxes in order to cover the expenses. Going from this point forward things will look a little better because there is some growth coming within the City, which will bring a little more taxable revenue through taxable property. Beathem feels the City is in good shape. Mote reminded the Council following the public hearing the adoption of the resolves need to be read into the record for the City, Capital Improvements Budget, Library, Water

**various city accounts for Fiscal Year 2019, based upon the budget submitted by the City Manager as provided by the Charter, be raised assessments upon the inhabitants of the City of Ellsworth and upon the estates of non-resident proprietors with the City for the present municipal year, and that the sums hereby appropriated, in addition to sums as otherwise provided, the amount for each purpose being specified in the attachment #5. It is further resolved, that the City of Ellsworth City Council approves the budgets for the following departments in the amounts specified (see attachment #5).
**0900 Capital Improvement Budget: \$879,361
Ellsworth Public Library Budget 0500 revenues of:****

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Department, and Wastewater Department; however, the individual account numbers and amounts do not need to be read into the record.

Public hearing was opened.

There were no public comments.

Public hearing was closed.

On a motion by Fortier, seconded by Beatham, it was unanimously

RESOLVED to approve Adoption of Budget for Fiscal Year 2019 as presented in attachment #5. Hereby Resolved, that the sum of \$19,851,539 which constitutes the estimated requirements of the various city accounts for Fiscal Year 2019, based upon the budget submitted by the City Manager as provided by the Charter, be raised assessments upon the inhabitants of the City of Ellsworth and upon the estates of non-resident proprietors with the City for the present municipal year, and that the sums hereby appropriated, in addition to sums as otherwise provided, the amount for each purpose being specified in the attachment #5. It is further resolved, that the City of Ellsworth City Council approves the budgets for the following departments in the amounts specified (see attachment #5).

0900 Capital Improvement Budget: \$879,361

Ellsworth Public Library Budget 0500 revenues of: \$709,495, expenditures of: \$709,495

Water Department Revenue of: \$1,211,500, expenditures of: \$1,392,550

Wastewater Treatment Plant revenue of: \$1,922,000, expenditures of: \$1,897,357.

Council Order #061808, Request to amend the City of Ellsworth Procurement Policy, Section 4 Purchase Orders (4) from \$10,000 and over to \$20,000 and over.

Chairman Blanchette explained there was a situation a few weeks ago where the fire alarm emergency system malfunctioned the bid to repair the system was approximately \$16,000; however, the City Manager only has authorization to approve expenses up to \$10,000. See attachment #6 for the Procurement Policy. Following this event, there has been some discussion on raising the authorized amount. Councilor Hamilton stated he is in favor of increasing the amount in part

**\$709,495,
expenditures of:
\$709,495
Water Department
Revenue of:
\$1,211,500,
expenditures of:
\$1,392,550
Wastewater
Treatment Plant
revenue of:
\$1,922,000,
expenditures of:
\$1,897,357.**

**Approved - Council
Order #061808,
Request to amend the
City of Ellsworth
Procurement Policy,
wherever the
Manager's spending
limit in this
Ordinance (Policy) is**

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FORTIER, HAMILTON, HUDSON, AND MOORE.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
LISA SEKULICH, RICHARD TUPPER, REGGIE WINSLOW, BERNIE
HUSSEY, EDMUND MURRAY, JENNIFER MADORE, KELLY HERRICK, AND
HEIDI GRINDLE.**

because the City Manager needs to have the resources to manage day to day operations. He didn't feel a \$10,000 limit is adequate in certain situations; nor should the Council get involved in some of those discussions and actions. In certain situations Council discussions actually delay situations being resolved in a timely fashion. The City Manager operates within a budget approved by the Council, has oversight of the budget, and increasing the limit so that the City Manager has the flexibility to resolve situations especially emergencies is appropriate. Hamilton further stated the Finance Committee meets on a weekly basis which gives plenty of opportunity for Council involvement. Increasing the spending limit to \$20,000 is flexible in Hamilton's mind. Councilor Moore felt it was particularly important especially when it is a matter of urgency for example taking care of a safety concern. Councilor Hudson inquired how often a situation happened where the \$10,000 limit is not adequate. She felt \$20,000 was too much money; and was hesitate of increasing the amount for a one time situation, where the \$10,000 was not adequate to address an emergency situation. Councilor Fortier could not recall in his time on the Council where the current spending limit has caused an issue. Fortier stated the fire alarm panel situation did not create an issue; the Charter was followed in resolving that situation by the Chairman calling an emergency meeting to approve the expenditure. In that particular situation it would not have helped to have a \$60,000 spending limit because the fix to that problem was paid out of a capital account and was not a budgeted item. Fortier could see if the increase was limited to budgeted items; he appreciates the transparency and the process that was put in place for funding the fire alarm panel. Fortier felt that situation would have been fine if City Manager Cole had ordered the parts because he has the authority to document the situation in writing when it involves public health and safety. A finding of fact that is documented in writing is well within his discretion to expend the necessary funds. Fortier felt if the possibility did not exist of calling an emergency meeting the next morning and resolving the crisis, then Fortier would have been fine with documenting in writing the reasons why it was an emergency and spending the funds to resolve the immediate issue. Fortier also agreed with Hamilton that \$10,000 is an old number. He was comfortable with increasing the amount to \$15,000 to see if that would be appropriate, transparency for the taxpayer is top priority for Fortier. Hudson felt a \$10,000 limit was adequate. She would be in favor if there was a recent history of multiple issues coming up that impeded the Manager's ability to handle situations and the Council was not able to address them in a timely manner. A single issue over many years is not acceptable for making a change, in Hudson's mind. Fortier agreed \$10,000 was a good number for him;

\$10,000 it is to be increased to \$15,000, see attachment #6A for the copy of the Procurement Policy as amended.

**RECORD OF REGULAR MEETING
ELLSWORTH CITY COUNCIL**

DATE: JUNE 18, 2018

TIME: 7:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHAM, BLANCHETTE, CROSTHWAITE,
FORTIER, HAMILTON, HUDSON, AND MOORE.**

CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
LISA SEKULICH, RICHARD TUPPER, REGGIE WINSLOW, BERNIE
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HEIDI GRINDLE.**

however, was willing to go up a little if it pleased the rest of the Council. Councilor Beatham noted this issue would happen with equipment more than any other item. He listed some possible items that could cause an immediate concern if they failed to operate. Based on how expensive it would be to replace or repair the equipment may require a Council decision concerning the best method to resolve those situations. He agreed with comments already made; however, there needs to be limits but also some latitude to be able to get things done. Beatham felt the City has great staff and procedures in place that have resulted in better communications with the Council in a faster manner than in the recent past including providing responsible recommendations on solutions; however, they are still Council decisions to be made. Beatham could support raising it a little bit but was not in favor of \$20,000. He felt \$10,000 was adequate 99% of the time; however, could support \$15,000. Moore was in support of \$15,000. Hudson was still in favor of \$10,000; however, in the spirit of being friendly she could support \$15,000. Fortier noted there are numerous places in the Procurement Policy that list \$10,000; thought will need to be given to whether the motion will be a blanket authorization to give the Manager a \$15,000 purchasing limit on all instances that currently limit their authority to \$10,000. If that is the case than staff can edit the document to replace all the \$10,000 references to \$15,000. Cole noted that the Council is currently notified of all expenditures even if they are under the \$10,000 limit.

On a motion by Hamilton, seconded by Hudson, it was

RESOLVED to approve Council Order #061808, Request to amend the City of Ellsworth Procurement Policy, wherever the Manager's spending limit in this Ordinance (Policy) is \$10,000 it is to be increased to \$15,000, see attachment #6A for the copy of the Procurement Policy as amended.

Before a vote was taken Fortier offered a friendly amendment to remove the language Section 4 Purchase Policy and state wherever the Manager's spending limit in this Ordinance (Policy) is \$10,000 it is to be increased to \$15,000. Moore inquired if that would work with the Finance Department. It was noted some of the other sections containing this reference are sections 7, 8, and 10. Jenn Madore, Finance Director stated those changes are acceptable with her. The friendly amendment was accepted by Hamilton and seconded by Hudson.

A final vote was taken on the above motion with all members voting

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CITY COUNCIL ABSENT:

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LISA SEKULICH, RICHARD TUPPER, REGGIE WINSLOW, BERNIE
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HEIDI GRINDLE.**

unanimously in favor.

Public hearing and action on Council Order #061809: Authorization for Tax Anticipation Borrowing (\$2,000,000).

Jennifer Madore, Interim Finance Director stated there was a bid opening on June 15, 2018 for a Tax Anticipation Note (TAN). This is an annual request. The proceeds of the TAN will be used for financing governmental activities and obligations of the City in anticipation of funds to be raised by taxation. Attachment #7 contains the official Order Authorization for Tax Anticipation Borrowing as well as the written request and bid results. A cash analysis was prepared in order to determine how much money the City would require. It was determined that \$2 million would best fit the cash needs for the City. Five bids were received from local banks. Madore is requesting the bid be awarded to the low bidder of Key Bank at an interest rate of 2.34%. This was a very aggressive bid.

Public hearing was opened.

Gene Lyons, Ellsworth resident was wondering why the Council felt it was necessary to borrow \$2 million dollars. Councilor Fortier explained because taxes are not due until September, so the City needs money to be available in July. Lyons inquired about the tax money received from last year and why that could not be used in July. Fortier explained the City had a 1.5 million dollar TAN last year. This is a yearly request and is paid back with taxation.

Public hearing was closed.

On a motion by Hamilton, seconded by Fortier, it was unanimously

RESOLVED to approve Council Order #061809: award the Tax Anticipation Note (TAN) low bid to Key Bank at an interest rate of 2.34 percent for a \$2 million TAN as presented in attachment #7, and also to authorize as Ordered in the Resolve Council Order #061809 per the attached written order Title: Authorization for Tax Anticipation Borrowing (\$2,000,000).

Council Order #061810, Request of the City Manager to extend the contract for Knowlton Park Mowing and Grounds Maintenance Services with Goodall

Approved - Council Order #061809: award the Tax Anticipation Note (TAN) low bid to Key Bank at an interest rate of 2.34 percent for a \$2 million TAN as presented in attachment #7, and also to authorize as Ordered in the Resolve Council Order #061809 per the attached written order Title: Authorization for Tax Anticipation Borrowing (\$2,000,000).

Approved - Council Order #061810,

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CITY COUNCIL ABSENT:

KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, LISA SEKULICH, RICHARD TUPPER, REGGIE WINSLOW, BERNIE HUSSEY, EDMUND MURRAY, JENNIFER MADORE, KELLY HERRICK, AND HEIDI GRINDLE.

Landscaping.

Tammy Mote, Deputy City Manager explained at the beginning of this fiscal year Goodall Landscaping was awarded the mowing and grounds maintenance contract. This contract includes the mowing, weeding, mulching, opening and closing of Knowlton Park, and applying the pest control applications. See attachment #8 for the complete request and contract. The request tonight is to extend that contract for another year, there will not be an increase in the cost over the pricing from last year. Goodall has provided excellent customer service over the past year. Mote spoke with Steve Joyal, Facilities Manager who reported he is very pleased with the results and quality of work performed by Goodall Landscaping. Councilor Hamilton asked what type of process was used when the contract was initially awarded to Goodall Landscaping. Mote explained there was a bid process that involved sending requests for proposals out to four separate vendors. Two bids were received back and Goodall was awarded the bid. Local vendors were invited to bid on the landscaping needs. Councilor Fortier noted Goodall did not submit the lowest bid; the bid was awarded based on best value as well as their process used less chemical applications on the fields. The other vendor was not interested in transitioning to a more environmentally friendly, less chemical process. The Council made a decision to move the parks into a less chemical and more environmentally friendly treatment plan. Chairman Blanchette noted under the natural green products being used the fields look very good, he was surprised at how successful this treatment plan has been in the first year of application. He thought it would take at least two years to see this level of results.

On a motion by Moore, seconded by Hudson, it was unanimously

RESOLVED to approve Council Order #061810, Request of the Deputy City Manager to extend the contract for Knowlton Park Mowing and Grounds Maintenance Services contract to Goodall Landscaping per the attached pricing (attachment #8).

Council Order #061811, Request of the City Manager to extend the contract for Lawn Treatment Services at City Hall, Merrill Park, SK Whiting Park, Harbor Park, Triangle at Demeyer, Wilson Field, and Demeyer Fields 1-3 with Goodall Landscaping.

Request of the Deputy City Manager to extend the contract for Knowlton Park Mowing and Grounds Maintenance Services contract to Goodall Landscaping per the attached pricing (attachment #8).

Approved - Council Order #061811, Request of the Deputy City Manager to extend

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CITY COUNCIL ABSENT:

KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE, LISA SEKULICH, RICHARD TUPPER, REGGIE WINSLOW, BERNIE HUSSEY, EDMUND MURRAY, JENNIFER MADORE, KELLY HERRICK, AND HEIDI GRINDLE.

Tammy Mote, Deputy City Manager explained last year there were some residents who expressed concerns with the use of chemicals on the City fields. The City issued a Request for Proposals (RFP) to find a better alternative. Last year the contract was awarded to Natural Lawn of America who is operated by Goodall. See attachment #9 for the complete request and contract. The request tonight is to extend the contract for another year. There will not be a price increase in the contract this year. Councilor Moore noted based on the draught conditions last year and the less than desirable weather this year to have the lawns as green as they are is an accomplishment.

the Lawn Treatment Services contract to Natural Lawn of America per the attached per unit/application pricing (attachment #9).

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #061811, Request of the Deputy City Manager to extend the Lawn Treatment Services contract to Natural Lawn of America per the attached per unit/application pricing (attachment #9).

Council Order #061812, Appointment of Jennifer Madore as Treasurer by the City Council.

Approved - Council Order #061812, confirm the appointment of Jennifer Madore as Treasurer by the City Council.

David Cole, City Manager explained since the beginning of the year, Jenn Madore has held the Interim Finance Director position and by extension Treasurer for the City. In the recent restructuring plan that brought Tammy Mote back as Deputy City Manager the plan is to eliminate the Deputy Finance Director position (currently held by Madore) and elevate that position to Finance Director. See attachment #10 for the complete request. Cole emphasized that Madore took over at a time of great turnover in the Finance Department, which included some leave of absences; she stepped up under very challenging conditions and has seen it through. Cole thought it was time to drop the interim title on both the Finance Director and Treasurer positions. Mote will be performing certain financial activities in her new role which include borrowings, capital improvements planning, chief budget officer, and similar responsibilities. Madore will be focusing on the day to day core activities of the Finance Department, accounting, revenue collections and such activities. Cole added the restructuring plan that he is implementing also includes automation. The IT staff has been directed, that short of the day to day necessities, they need to focus on automating tasks which will reduce the amount of foot traffic going through the Finance Department and in turn will make the employees more self-sufficient. This will make more information available to the employees online

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whether it is budget related, benefits, payroll and other similar documents. Madore is an important part of implementing this plan. Cole asked the Council in regards to this motion as well as the following agenda item to confirm Jennifer Madore as Finance Director and Treasurer. Chairman Blanchette noted the exceptional response time displayed by Madore to questions, concerns and inquires over the past few months; he further felt Madore has proven herself very capable of assuming these roles and responsibilities.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve Council Order #061812, confirm the appointment of Jennifer Madore as Treasurer by the City Council.

Council Order #061813, Request of the City Manager to confirm the appointment of Jennifer Madore as the Finance Director.

See attachment #10 for the complete request as well as the explanation on the previous agenda item. There was no additional comments before a motion was made.

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #061813, request of the City Manager to confirm the appointment of Jennifer Madore as Finance Director for the City of Ellsworth.

Council Order #061814, Appointment of City Officials by the City Council.

David Cole, City Manager noted the Council was provided with the annual list prior to the meeting; see attachment #11 for that list of City Officials. These are the positions that are required to be appointed annually.

On a motion by Beathem, seconded by Hudson, it was unanimously

RESOLVED to approve Council Order #061814, Appointment of City Officials by the City Council as presented in attachment #11.

Approved - Council Order #061813, request of the City Manager to confirm the appointment of Jennifer Madore as Finance Director for the City of Ellsworth.

Approved - Council Order #061814, Appointment of City Officials by the City Council as presented in attachment #11.

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CITY COUNCIL ABSENT:

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Council Order #061815, Approval of City Manager's appointments.

See attachment #12 for a complete list of City Manager's Appointments as proposed. Councilor Fortier noted if the position is confirmed than in turn the Deputy, Alternate, or Assistant is also confirmed through this Council Order. He noted it appeared Steven Fuller was missing from the list, his position was elevated to Assistant Planner. That position is not Assistant to the Planner; rather it is Assistant Planner. Fortier requested the Assistant Planner position, Steven Fuller with a 6/30/2019 term of expiration be added to the list being approved this evening.

On a motion by Fortier, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #061815, Approval of City Manager's appointments as amended to include Steven Fuller as Assistant Planner, (see attachment #12A).

Executive session to discuss personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.

On a motion by Fortier, seconded by Beathem, it was unanimously

RESOLVED to approve entering executive session at 8:16 PM for the purpose of discussing personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.

Staff did not join the meeting. Councilor Hudson noted there would not be any formal action following the executive session except to adjourn the meeting.

On a motion by Beathem, seconded by Hudson, it was unanimously

RESOLVED to approve adjournment from the executive session at 8:43 PM.

Adjournment.

On a motion by Beathem, seconded by Crosthwaite, it was

Approved - Council Order #061815, Approval of City Manager's appointments as amended to include Steven Fuller as Assistant Planner, as amended in attachment #12A.

Approved - Entering executive session at 8:16 PM for the purpose of discussing personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.

Approved - Adjournment from executive session at 8:43 PM.

Approved - Adjournment at 8:44 PM.

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CITY COUNCIL ABSENT:

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
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HUSSEY, EDMUND MURRAY, JENNIFER MADORE, KELLY HERRICK, AND
HEIDI GRINDLE.**

RESOLVED *to approve adjournment at 8:44 PM.*

*A final vote was taken with 6 members in favor (Beathem, Blanchette, Fortier,
Hamilton, Hudson, and Moore) and 1 member voting in opposition (Crosthwaite).*

A TRUE COPY

ATTEST: _____
HEIDI-NOËL GRINDLE